

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

FILED

98 MAY -1 PM 12:42

U.S. DISTRICT COURT
N.D. OF ALABAMA

STANLEY WASHINGTON,

Plaintiff,

vs.

CV 97-S-3236-NE

COMMISSIONER PAUL WHALEY,
WARDEN RALPH HOOKS, DEPUTY
WARDEN DAVID WISE, and
JIM HAYES,

Defendants.

ENTERED

MAY - 4 1998

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on April 9, 1997, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on April 24, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 1st day of May, 1998.


C. LYWOOD SMITH, JR.
UNITED STATES DISTRICT JUDGE

14